IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Bail Appl..No. 1498 of 2007()

CC.372/2006 of J.M.F.C.-II,NEYYATTINKARA

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PETITIONER/1ST ACCUSED

KRISHNAN, S/O. THANKAPPAN, AGED 32,
NO.K.P.VIII/717, PUTHUSERIVILA HOUSE,
PECHANDAM DESOM, KARODE VILLAGE.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTING SUB INSPECTOR,
POZHIYOOR POLICE STATION.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1498 of 2007

DATED: 7th March 2007

O R D E R

Petitioner who is the first accused in Crime No.58 of 2006 of Pozhiyoor Police Station for an offence punishable under Sec. 32 read with Section 34 I.P.C. and Sec. 27 of the Arms Act, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. 372/06 on the file of the J.F.C.M.-II, Neyyattinkara non-bailable wrrants of arrest are pending against the petitioner.

3. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. The petitioner's contention that the matter has been settled between the parties can very well be raised before the Magistrate concerned. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed after examining the contention of the petitioner that the dispute has been square up between the parties..

With the above observation this application is disposed of .

V.RAMKUMAR,

JUDGE.

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